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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/777,356

02/11/2004

Carlo Finzer

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06/17/2004

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EXAMINER

PATEL, TULSIDAS C

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/777,356

Applicant(s)

FINZER ET AL.

Examiner

T. C. Patel

Art Unit

2839

aw

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10/228,118.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/11/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

General Status

1. This is a First Action on the Merits. Claims 1-8 are pending in the case.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-8 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, it is not clear what is meant by “clamping members are inclined opposite to tension direction” and “slotted similar to a comb”.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1-3 and 6-8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bianca (US 4,822,286).

Bianca in figures 1-5, discloses a device 42 for relieving mechanical tension of an electric cable 60, the device comprising two symmetrical elastically flexible clamping members 42 that extend transverse to the tension direction (horizontal-right in figure 4), the clamping members are inclined opposite to the tension direction (horizontal-left) and have teeth 50, similar to a comb and are symmetrically oppose one another. For claims 2 and 3, there is a slot between each pair of teeth and the slot and the teeth extend parallel to each other also the clamping members define an opening between them. For claim 6, the body parts 18, 20 of the connector form mounting bases for respective clamping members. For claims 7 and 8, catching means 36, 38 are provided on the bases and the clamping members are located in the same area, where the catching means are located.

6. Claims 1-8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Douty et al. (US 4,108,527).

Douty et al. in figure 1, discloses a device 22, 24 for relieving mechanical tension of an electric cable, the device comprising two symmetrical elastically flexible clamping members 22, 24 that extend transverse to the tension direction, the clamping members are inclined opposite to the tension direction and have teeth, similar to a comb and are symmetrically oppose one another. For claims 2 and 3, there is a slot between each pair of teeth and the slot and the teeth extend parallel to each other also the clamping members define an opening between them. For claims 4 and 5, when a cable is not inserted, the cross section of the

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clamping member is lenticular and also the shape has major axis and minor axis. For claim 6, the body parts 18, 20 of the connector form mounting bases for respective clamping members. For claims 7 and 8, catching means 36, 40 are provided on the bases and the clamping members are located in the same area, where the catching means are located.

7. The prior art made of record and not relied upon is considered pertinent to applicant's invention. Pudims (US 5,743,759), Miller et al. (US 5,831,815), Fallossi et al. (US 5,348,494), Wu (US 6,641,429), Sawada et al. (US 6,406,326) Farr et al. (US 5,726,392), and Genta et al. (US 6,217,385) all disclose clamping members.

Applicant also should consider these references in response to this office action. Should issue arise concerning the rejection presented above, these references may be relied upon in a subsequent action to support the lack of novelty or obviousness of claimed subject matter to one of ordinary skill in the art.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to T. C. Patel whose telephone number is (571) 272-2098. The examiner can normally be reached on 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 271-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



T. C. Patel
Primary Examiner
Art Unit 2839

Tcp
June 10, 2004